

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JAN R. PURGESS,
Plaintiff,

v.

MARTINA PARAUDA, *Director, VA NY Harbor Healthcare System* AND ROBERT WILKIE, *Secretary, Department of Veterans Affairs*,

Defendants.

USDC-SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC#:
DATE FILED: 6-30-20

20-CV-2984 (RA)

AMENDED ORDER

RONNIE ABRAMS, United States District Judge:

Plaintiff, who is proceeding *pro se*, commenced this action on April 13, 2020. By letter dated June 19, 2020, Plaintiff informed the Court that his process servers have been unable to serve Defendants in light of the COVID-19 pandemic. In the interest of efficiency, the Court orders that Defendants Martina Parauda and Robert Willkie be served through the U.S. Marshals Service. *See* Fed. R. Civ. P. 4(c)(3). Because Plaintiff is not proceeding *in forma pauperis* and paid the filing fees to initiate this action, he shall also be responsible for the costs of service. Payment shall be made by certified check, cashier's check, or money order, payable to the U.S. Marshal, Southern District of New York.

To allow Plaintiff to effect service on Defendants Parauda and Willkie through the U.S. Marshals Service, the Clerk of Court is instructed to fill out a U.S. Marshals Service Process Receipt and Return form ("USM-285 form") for each defendant. The Clerk of Court is also instructed to: (1) mark the box on the USM-285 form labeled "Check for service on U.S.A.>"; (2) issue amended summonses; and (3) deliver to the Marshals Service a copy of this order and all other paperwork necessary for the Marshals Service to effect service on the United States and these defendants.

If service is not made within 90 days of the date the amended summonses are issued, Plaintiff should request an extension of time for service. *See Meilleur v. Strong*, 682 F.3d 56, 63 (2d Cir. 2012) (holding that it is the plaintiff's responsibility to request an extension of time for service). Plaintiff also must notify the Court in writing if his address changes, and the Court may dismiss the action if he fails to do so.

Accordingly, the Clerk of Court is respectfully directed to mail a copy of this order to Plaintiff, together with an information package. The Clerk of Court is further instructed to (1) complete the USM-285 forms with the addresses for Defendants Parauda and Willkie; (2) check the box on the USM-285 forms labeled "Check for service on U.S.A.>"; (3) issue amended summonses; and (4) deliver to the U.S. Marshals Service all documents necessary to effect service. Plaintiff is responsible for the costs of service for the reasons noted above.

SO ORDERED.

Dated: June 30, 2020
New York, New York



RONNIE ABRAMS
United States District Judge